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Attorney for Plaintiff
Hailong Zhou

ORIGINAL
FILED

NOV 16 2007

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
COMPLAINT

Hailong Zhou,

Plaintiff,

v.

Michael Chertoff, Secretary of the
Department of Homeland Security;
Emilio T. Gonzalez, Director of United States
Citizenship and Immigration Services,

Defendants.

Case No.

07 05843 PVT

PLAINTIFF'S ORIGINAL COMPLAINT
FOR WRIT IN THE NATURE OF
MANDAMUS & DECLARATORY
JUDGMENT UNDER 28 U.S.C. § 1361

Immigration Case

Plaintiff, Hailong Zhou, by and through his attorney of record, opens this lawsuit against the Defendants and will show this Court the following:

1. Plaintiff, Hailong Zhou, brings this case to compel action on the delayed processing of his I-485, *Application to Register Permanent Residence or Adjust Status*. This application remains within the jurisdiction of the Defendants who have improperly delayed and withheld action on this application to Plaintiff's detriment.

PARTIES

2. Plaintiff, Hailong Zhou, a resident of Milpitas, CA, is the primary applicant of an I-485, *Application to Register Permanent Residence or Adjust Status* ("I-485"), filed with the United States Citizenship and Immigration Services ("USCIS").

3. Defendant, Michael Chertoff, is the Secretary of the Department of Homeland Security ("DHS"), and this action is brought against him in his official capacity. Defendant Chertoff is generally charged with enforcement of the Immigration and Nationality Act and its related regulations, which provide for the processing of adjustment of status applications.

4. Defendant, Emilio T. Gonzalez, is the Director of USCIS, and this action is brought against him in his official capacity. USCIS is an agency within the DHS to which DHS' authority has, in part, been delegated. Defendant Gonzalez is generally charged with the overall administration of immigration benefits and services, including adjustment of status.

JURISDICTION

5. Jurisdiction in this case is proper under 28 U.S.C. §§ 1331 and 1361, 5 U.S.C. §§ 551, *et seq.* and 701, *et seq.*, and 28 U.S.C. § 2201 *et seq.* Relief is requested pursuant to said statutes. Additionally, attorney fees and costs will be sought pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) and 5 U.S.C. § 504 *et seq.*

VENUE

6. Venue is proper in this honorable Court, pursuant to 28 U.S.C. §1391(e), in that Plaintiff may request a hearing on the matter in the district where Plaintiff resides.

INTRADISTRICT ASSIGNMENT

7. This lawsuit should be assigned to the San Jose Division of this court because a substantial part of the event or omission which give rise to this lawsuit occurred in Santa Clara County.

EXHAUSTION OF REMEDIES

8. Plaintiff has exhausted his administrative remedies. Plaintiff has supplied the USCIS with documents that clearly establish his eligibility to register as a permanent resident, and as will be demonstrated by the evidence, has followed up with numerous inquiries and requests to the

1 pertinent administrative agencies attempting to expedite his delayed application.

2 **CAUSE OF ACTION**

3 9. Plaintiff properly filed an I-485, *Application to Register Permanent Residence or Adjust*
4 *Status* with the USCIS on August 18, 2004 (**EXHIBIT 1**).

5 10. On August 19, 2004, Plaintiff's I-485 application was transferred from the California
6 Service Center to the Nebraska Service Center. (**EXHIBIT 2**)

7 11. On July 18, 2006, Plaintiff contacted the USCIS regarding his I-485 application. In a
8 response letter dated August 15, 2006, Plaintiff was informed that his I-485 was pending due to
9 the Security Check (The FBI name check) (**EXHIBIT 3**).

10 12. On December 14, 2006, Plaintiff submitted his fingerprints at the USCIS San Jose
11 Application Support Center (**EXHIBIT 4**).

12 13. On August 22, 2007, Plaintiff contacted the USCIS regarding his stalled I-485
13 application. In a response letter dated September 17, 2007, the USCIS informed Plaintiff that his
14 I-485 was not yet ready for a decision because the required investigation into his background
15 remained open (**EXHIBIT 5**).

16 14. Plaintiff contacted California Senator Dianne Feinstein requesting assistance with his
17 stalled I-485 application. In a letter dated October 26, 2007, Senator Feinstein informed Plaintiff
18 that his office has made an inquiry with the FBI (**EXHIBIT 6**).

19 15. The Defendants' actions have gone well beyond the expected 11 months processing time
20 for the adjudication of an I-485 Application (See Nebraska Service Center processing dates for I-
21 485 cases posted October 15, 2007. (**EXHIBIT 7**)

22 16. Defendants have failed to adhere to their own processing times and procedures and have
23 delayed the processing of Plaintiff's I-485 case.

24 17. Plaintiff has submitted sufficient information for the USCIS to complete adjudication of
25 Plaintiff's I-485 application.

26 18. The Defendants have contracted out the name check for Plaintiff's case to the Federal
27 Bureau of Investigation.

28 19. But for the pending name check, Plaintiff would receive approval for his I-485

1 application.

2 20. Plaintiff has been greatly damaged by the failure of Defendants to act in accordance with
3 their duties under the law. Specifically:

4 (a) Plaintiff has been unable to obtain legal permanent residence and thus cannot
5 travel or work without restriction. He must spend additional time and pay
6 additional filing fees each year in order to work and travel legally.

7 (b) Plaintiff is unable to accrue time to be eligible for naturalization as a citizen of
8 the United States, thus delaying his obtainment of the rights and privileges
9 enjoyed by citizens of the United States.

10 (c) Plaintiff must wait to make major life decisions until his legal permanent
11 residence petition is resolved, thus causing his undue stress and anxiety.

12 21. Defendants, in violation of 28 U.S.C § 1361, have failed to complete the processing of
13 Plaintiff's I-485, a duty delegated to them by law.

14 22. Defendants, in violation of the Administrative Procedures Act at 5 U.S.C. § 706(1), are
15 unlawfully withholding action on Plaintiff's application, and have unreasonably delayed action
16 on Plaintiff's case.

17 23. Defendants, in violation of the Administrative Procedures Act at 5 U.S.C. § 555(b), are
18 unlawfully delaying action on Plaintiff's application and have failed to complete the adjudicative
19 functions delegated to them by law within a reasonable time.

20 **PRAYER**

21 24. WHEREFORE, in view of the arguments and authority noted herein, Plaintiff
22 respectfully prays that the Defendants be cited to appear herein and that, upon due consideration,
23 the Court enter an order:

24 (a) requiring USCIS to complete adjudication of Plaintiff's I-485 Application within 60
25 days of receiving the Court's Order;

26 (b) awarding reasonable attorney's fees pursuant to the Equal Access to Justice Act; and

27 (c) granting such other relief at law and in equity as justice may require.
28

Dated: November 8, 2007

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Justin Fok", written over a horizontal line.

Justin Fok, CA Bar: 242272

Attorney for Plaintiff

EXHIBIT LIST

- Exhibit 1:** Plaintiff's receipt notice for I-485 dated August 18, 2004.
- Exhibit 2:** Plaintiff's transfer notice for I-485 dated August 19, 2004.
- Exhibit 3:** The response letter from the USCIS dated August 15, 2006 for Plaintiff's inquiry dated July 18, 2006.
- Exhibit 4:** Plaintiff's fingerprint notice dated December 14, 2006.
- Exhibit 5:** The response letter from the USCIS dated September 17, 2007 for Plaintiff's inquiry dated August 22, 2007.
- Exhibit 6:** California Senator's correspondence with the Plaintiff dated October 26, 2007.
- Exhibit 7:** Nebraska Service Center processing dates for I-485 cases posted October 15, 2007.

Exhibit 1

THE UNITED STATES OF AMERICA

RECEIPT NUMBER WAC-04-229-51934		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE August 18, 2004	PRIORITY DATE	APPLICANT A97 873 416 ZHOU, HAILONG
NOTICE DATE August 19, 2004	PAGE 1 of 1	
RONALD R. ROSE ROSE RIX & BENNETT LLP RE: HAILONG ZHOU [REDACTED] [REDACTED] CA 94019		Notice Type: Receipt Notice Amount received: \$ 385.00 Section: Other basis for adjustment

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at uscis.gov.
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to www.state.gov/travel <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at www.uscis.gov or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE

CALIFORNIA SERVICE CENTER

P. O. BOX 30111

LAGUNA NIGUEL CA 92607-0111

Customer Service Telephone: (800) 375-5283



Exhibit 2



THE UNITED STATES OF AMERICA



RECEIPT NUMBER WAC-04-229-51934		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS	
RECEIPT DATE August 19, 2004	PRIORITY DATE	APPLICANT A97 873 416 ZHOU, HAILONG	
NOTICE DATE July 28, 2005	PAGE 1 of 1		
HAILONG ZHOU [REDACTED] [REDACTED] CA 95035		Notice Type: Transfer Notice	

This is to notify you that we have transferred the above application or petition to the INS office at:

Nebraska Service Center, P.O. BOX 82521, Lincoln, NE 68501-2521

Telephone: (402) 437-5218

We transferred this case because the record indicates that office has jurisdiction over the case. That office will notify you of subsequent action taken on this case. Any further inquiries should be made to that office.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



Exhibit 3

U.S. Department of Homeland Security

Nebraska Service Center

P.O. Box 82521

Lincoln, NE 68501-2521



**U.S. Citizenship
and Immigration
Services**

Tuesday, August 15, 2006

HAILONG ZHOU

[REDACTED]

[REDACTED] CA 95035

Dear HAILONG ZHOU:

On 07/18/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:	The applicant
Attorney Name:	Information not available
Case type:	1485
Filing date:	08/18/2004
Receipt #:	wac-04-229-51934
Beneficiary (if you filed for someone else):	ZHOU, HAILONG
Your USCIS Account Number (A-number):	A97873416
Type of service requested:	Case Status - Outside Processing Time

The status of this service request is:

Our records indicate the I-485 application was received August 18, 2004 and is pending a decision in this office.

Currently, the application is undergoing the security checks now required on all applications prior to final review. You will be notified by mail as soon as a decision is made on the applications. Day approximations on receipt notices are only an estimate and applications may require more time. Furthermore, if all initial evidence is not included with an application, or a question arises during adjudication that requires a Request for Evidence, additional time will be needed.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

Exhibit 4



ASC Appointment Notice		APPLICATION NUMBER WAC0422951934	NOTICE DATE 11/30/2006
CASE TYPE I485 Application to Register Permanent Resident or Adjust Status	SOCIAL SECURITY NUMBER	USCIS AF A097873416	CODE 3
	TCR	SERVICE CENTER NSC	PAGE 1 of 1

HAILONG ZHOU
[REDACTED] CA 95035

BIOMETRICS PROCESSING STAMP
[REDACTED] CA 95035
ASC SITE CODE
BIOMETRICS QA REVIEW BY: [Signature]
ON DEC 14 2006
FINGERPRINT QA REVIEW BY: [Signature]
ON

To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.
PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.
IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER USCIS SAN JOSE 122 CHARCOT AVE. SAN JOSE, CA 95131	PLEASE READ THIS ENTIRE NOTICE CAREFULLY. DATE AND TIME OF APPOINTMENT 12/14/2006 10:00 AM
---	---

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.

REQUEST FOR RESCHEDULING

Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon

U. S. Citizenship & Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS SAN JOSE, 122 CHARCOT AVE., SAN JOSE, CA 95131

APPLICATION NUMBER I
I485 - WAC0422951934

If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.

Exhibit 5

U.S. Department of Homeland Security

Nebraska Service Center

P.O. Box 82521

Lincoln, NE 68501-2521



**U.S. Citizenship
and Immigration
Services**

Monday, September 17, 2007

HAILONG ZHOU

[REDACTED]

[REDACTED] CA 95035

Dear HAILONG ZHOU:

On 08/22/2007 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:	Applicant or Petitioner
Attorney Name:	Information not available
Case type:	I485
Filing date:	08/19/2004
Receipt #:	WAC-04-229-51934
Beneficiary (if you filed for someone else):	ZHOU, HAILONG
Your USCIS Account Number (A-number):	A097873416
Type of service requested:	Outside Normal Processing Times

The status of this service request is:

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

Exhibit 6

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

October 26, 2007

Mr. Hailong Zhou

[REDACTED]

[REDACTED] California 95035

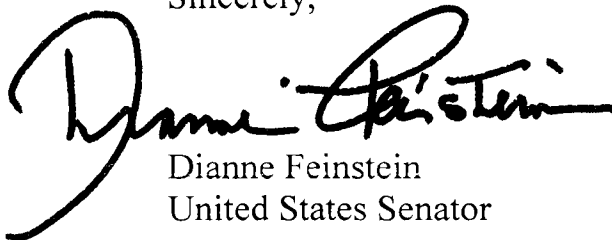
Dear Mr. Zhou:

Thank you for contacting my office regarding your concerns with the status of your name check. I appreciate your bringing this to my attention and giving me an opportunity to see if my office can be of assistance.

I have asked Morgan Galli in my San Francisco office to assist you. Ms. Galli has contacted the Federal Bureau of Investigation on your behalf. You will hear back from my office when a response is received from the agency, which usually takes eight to ten weeks.

Again, thank you for contacting me. My San Francisco staff will do all they can to help you.

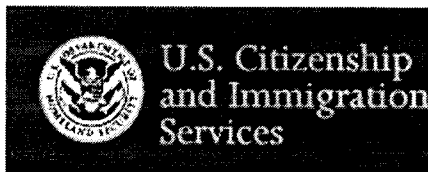
Sincerely,



Dianne Feinstein
United States Senator

DF:mg

Exhibit 7

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U.S. Citizenship and Immigration Services Nebraska Service Center Processing Dates Posted October 15, 2007

Notice: U.S. Citizenship and Immigration Services (USCIS) has improved the reporting procedure for processing times of immigration benefit applications. In the past, USCIS benefit processing reports indicated the specific type of applications or petitions that were being processed and the date the cases were received. However, the date the case was received did not provide a clear indication of when USCIS expected to complete the case, nor did it provide a clear indication of USCIS' commitment to process cases within a certain cycle time. It also did not align with the processing times and cycle times the agency reports in other contexts.

This improved reporting procedure is an effort to give our customers more accurate information that better reflects current processing time and USCIS service level commitments. Effective immediately, when we are completing applications and petitions within our service level goals we will report the USCIS service level commitment. For example, when our service level goal is to process a particular kind of case within six months, and if our processing time is six months or less, we will show "6 months".

When we are not meeting our service level goal, the date posted will reflect the filing date of cases that are being completed. It should be noted that while in some instances reported processing dates may appear to have regressed due to this change, they do not reflect a lengthening of USCIS processing times, but simply the change in reporting. Our goal is to provide accurate projections and thus give customers clear expectations as to what they can expect as a processing time.

There are several important exceptions to the processing times shown below:

- Case processing will be delayed if we must ask you for more evidence or information. If we ask for missing required initial evidence, count the processing time from when we receive that missing evidence.
- The case processing timeframe will start over if a customer doesn't appear for an interview or asks that it be rescheduled.

What if I have a problem or have questions about a case?

We offer a variety of services after you file. For example, for most kinds of cases you can check the status of your case online.

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our fact sheet –

Case Services - How do I... know what kind of services are available to me after I file my application or petition?

One additional point about these projections. They are the time to complete processing and mail the actual notice and/or document. If you check case status online and see that your case has been approved, and you haven't yet received your approval notice or document in the mail, we ask that you wait thirty days from the approval date before contacting us. That is because it may take that long before it is returned to us as undeliverable. You can also print the case status online answer for your records.

Service Center Processing Dates for **Nebraska Service Center** Posted October 15, 2007

Form	Title	Classification or Basis for Filing	Processing Timeframe
I-90	Application to Replace Permanent Resident Card	Initial issuance or replacement	November 06, 2006
I-90	Application to Replace Permanent Resident Card	10-year renewal	December 27, 2005
I-90A	Application to Replace Permanent Resident Card	Initial issuance or replacement for Special Agricultural Workers (SAW)	6 Months
I-102	Application for Replacement/Initial Nonimmigrant Arrival/Departure Record	Initial issuance or replacement of a Form I-94	3 Months
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Visa to be issued abroad	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Change of status in the U.S.	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Extension of stay in the U.S.	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	H-2A - Temporary workers	15 Days
I-129	Petition for A Nonimmigrant Worker	H-2B - Other temporary workers	30 Days
I-129	Petition for A Nonimmigrant Worker	H-3 - Temporary trainees	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	L - Intracompany transfers	30 Days
I-129	Petition for A Nonimmigrant Worker	Blanket L	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	O - Extraordinary ability	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	P - Athletes, artists, and entertainers	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	Q - Cultural exchange visitors and exchange visitors participating in the Irish Peace process	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	R - Religious occupation	May 14, 2006
I-129	Petition for A Nonimmigrant Worker	TN - North American Free Trade Agreement (NAFTA) professional	May 14, 2006
I-131	Application for Travel Document	Permanent resident applying for a re-entry permit	May 07, 2007
I-131	Application for Travel Document	Refugee or asylee applying for a refugee travel document	May 07, 2007
I-131	Application for Travel Document	Haitian Refugee Immigrant Fairness Act (HRIFA) principal applying for advance parole	July 02, 2007
		Haitian Refugee Immigrant Fairness Act	

I-131	Application for Travel Document	(HRIFA) dependent applying for advance parole	January 14, 2007
I-131	Application for Travel Document	All other applicants for advance parole	July 02, 2007
I-140	Immigrant Petition for Alien Worker	Extraordinary ability	January 26, 2007
I-140	Immigrant Petition for Alien Worker	Outstanding professor or researcher	January 10, 2007
I-140	Immigrant Petition for Alien Worker	Multinational executive or manager	December 04, 2006
I-140	Immigrant Petition for Alien Worker	Schedule A Nurses	October 30, 2006
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability	February 06, 2007
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability requesting a National Interest Waiver	August 01, 2006
I-140	Immigrant Petition for Alien Worker	Skilled worker or professional	November 14, 2006
I-140	Immigrant Petition for Alien Worker	Unskilled worker	October 20, 2006
I-212	Application for Permission to Reapply for Admission into the U.S. After Deportation or Removal	Readmission after deportation or removal	6 Months
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	All other special immigrants	6 Months
I-485	Application to Register Permanent Residence or to Adjust Status	Employment-based adjustment applications	December 19, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Based on grant of asylum more than 1 year ago	November 13, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Based on refugee admission more than 1 year ago	November 09, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Haitian Refugee Immigrant Fairness Act (HRIFA)	April 15, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Indochinese Adjustment Act	6 Months
I-539	Application to Extend/Change Nonimmigrant Status	Change of status to H or L dependents	May 09, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change status to the F or M academic or vocational student categories	May 09, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change Status to the J exchange visitor category	May 09, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other change of status applications	May 09, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of stay for H and L dependents	May 09, 2007
	Application to Extend/Change	Extension of Stay for F or M academic or	

I-539	Nonimmigrant Status	vocational students	May 09, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for J exchange visitors	May 09, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other extension applications	May 09, 2007
I-612	Application for Waiver of the Foreign Residence Requirement	Application for a waiver of the 2-year foreign residence requirement based on exceptional hardship or persecution	February 28, 2007
I-730	Refugee/Asylee Relative Petition	Petition for accompanying family members of a refugee or an asylee	September 01, 2006
I-751	Petition to Remove the Conditions on Residence	Removal of lawful permanent resident conditions (spouses of U.S. citizens and lawful permanent residents)	January 03, 2007
I-765	Application for Employment Authorization	Based on an approved asylum application [(a)(5)]	30 Days
I-765	Application for Employment Authorization	Based on a request by a qualified F-1 academic student. [(c)(3)]	11 Weeks
I-765	Application for Employment Authorization	Based on a pending asylum application [(c)(8)]	30 Days
I-765	Application for Employment Authorization	Based on a pending I-485 adjustment application [(c)(9)]	July 02, 2007
I-765	Application for Employment Authorization	All other applications for employment authorization	July 27, 2007
I-817	Application for Family Unity Benefits	Voluntary departure under the family unity program	6 Months
I-824	Application for Action on an Approved Application or Petition	To request further action on an approved application or petition	January 18, 2007

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U.S. Department of Homeland Security